

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**PATRICIA F. FARVE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 2:09cv77-KS-MTP**

**COMMISSIONER OF SOCIAL SECURITY,  
*Michael Astrue***

**DEFENDANT**

**AMENDED ORDER ACCEPTING MAGISTRATE JUDGE'S RECOMMENDATION  
DENYING DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO PROSECUTE  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(B)**

This cause came on this date to be heard upon the [11] Report and Recommendation of the United States Magistrate Judge entered herein on March 29, 2010, after referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS THEREFORE, ORDERED that the Report and Recommendation be, and the same is, hereby adopted as the finding of this Court, and Defendant's [10] Motion to Dismiss is hereby **denied**.

SO ORDERED, this the 16th day of June, 2010.

*s/Keith Starrett*  
UNITED STATES DISTRICT JUDGE